

03-09-05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Marshall D. Snavely

Serial No.: 09/507,166

Group Art Unit No.: 1654

Filed: February 18, 2000

Examiner: Anish Gupta

For: Enhanced Solubility of Recombinant Proteins

Docket No.: A-496A

PETITION TO WITHDRAW A HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Pursuant to our telephone conversation yesterday, Applicants hereby request reconsideration of the holding of abandonment of the above-referenced application for continuity purposes only.

Applicants submit that the Extension of Time was timely filed with the Application for a Continuation Application on November 23, 2004, as evidenced by the following:

- 1) A properly itemized date-stamped postcard receipt, a true copy of which is attached hereto;
- 2) The Express Mail mailing label showing a "date-in" entry of "Nov. 23, 2004", a true copy of which is attached hereto; and
- 3) The Extension of Time as filed on November 23, 2005, a true copy of which is attached hereto.

The Notice of Abandonment has a mailing date of January 13, 2005. Therefore, the present petition is being filed within the required two months from the date of the Notice of Abandonment from which relief is requested.

EXPRESS MAIL CERTIFICATE

Express Mail label number:

EL732819728US

Date of Deposit: March 7, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sherry St. Andrew

Printed Name

Signature

Serial No. 09/507,166

No fee is believed to be required. However, the Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 01-0519.

Respectfully submitted,



Raz Fleshner
Attorney for Applicant(s)
Registration No.: 34,331
Phone: (805) 447-6805
Date: March 7, 2005

Please send all future correspondence to:

US Patent Operations/REF
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799



THE PATENT OFFICE IS HEREBY REQUESTED TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING DOCUMENTS BY DATE STAMPING AND RETURNING THIS POST CARD

Applicant: Marshall D. Snavely
For: ENHANCED SOLUBILITY OF RECOMBINANT PROTEINS
USSN: 09/507,166 Filed: February 18, 2000

1 pgs Extension of Time Transmittal Letter (org. + 1 copy)

Express mailed on November 23, 2004, EL732696374US
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A-496B (S)

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FEE AUTHORIZATION/AMENDMENT TRANSMITTAL LETTER				Attorney's Docket No: A-496A		
Serial No. 09/507,166	Filing Date February 18, 2000	Examiner Anish Gupta	Group Art Unit 1643			
In Re Application of Marshall D. Snavely. MAR 07 2005						
For ENHANCED SOLUBILITY OF RECOMBINANT PROTEINS						
TO THE COMMISSIONER FOR PATENTS:						
<input checked="" type="checkbox"/> Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a): <ul style="list-style-type: none"> <input type="checkbox"/> One month of original due date (\$110.00) <input checked="" type="checkbox"/> Two months of original due date (\$430.00) <input type="checkbox"/> Three months of original due date (\$980.00) <input type="checkbox"/> Four months of original due date (\$1,530.00) <input type="checkbox"/> Five months of original due date (\$2,080.00) <input checked="" type="checkbox"/> A response in connection with the matter for which this extension is requested: <ul style="list-style-type: none"> <input type="checkbox"/> is filed herewith. <input type="checkbox"/> has been filed. <input checked="" type="checkbox"/> The response is the filing of a continuing application. <input type="checkbox"/> The accompanying papers include amended claims for which no additional fee is required. <input type="checkbox"/> The accompanying papers include amended claims the fee for which has been calculated as follows:						
CLAIMS AS AMENDED						
(1)	(2) Claims remaining After amendment	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6)	(7) Additional Fee
Total Claims	*	Minus	** =	0	x \$18	= \$ 0.00
Indep. Claims	*	Minus	*** =	0	x \$88	= 0.00
<input type="checkbox"/> First Appearance of a multiple dependent claim					+ \$300	= 0.00
Total Additional Fee for this Amendment					\$0.00	
<ul style="list-style-type: none"> • If the entry in column 2 is less than the entry in column 4, write "0" in column 5. • If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. • If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. <p>The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed.</p> <p><input type="checkbox"/> The following other fees are incurred by the accompanying papers.</p> <p><input type="checkbox"/> Other: _____</p>						
<p>Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of <u>\$430.00</u>. A duplicate copy of this petition is attached.</p> <p><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a request therefore.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 01-0519.</p>						
<p>Please Send Future Correspondence To:</p> <p>US Patent Operations/[NAO] Dept. 4300, M/S 27-4-A AMGEN INC. One Amgen Center Drive Thousand Oaks, California 91320-1799</p> <p><i>Nancy A. Oleski</i> Nancy A. Oleski Attorney for Applicant Registration No.: 34,688 Phone: (805) 447-6504 Date: <i>Nov. 23, 2004</i></p>						

EXPRESS MAIL CERTIFICATE

Express Mail mail labeling number:

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11/23/04

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Joyce Vogee
Printed Name

Signature